

RICK C. WRIGHT

IBLA 80-391

Decided April 11, 1980

Appeal from decision of New Mexico State Office, Bureau of Land Management, rejecting oil and gas lease offer NM-39102.

Affirmed.

1. Oil and Gas Leases: Applications: Generally -- Oil and Gas Leases:
Applications: Drawings

A simultaneous oil and gas drawing entry card must be fully executed by an applicant, and where the applicant omits from his address the state and zip code, the lease offer is properly rejected.

APPEARANCES: Rick C. Wright, pro se.

OPINION BY ADMINISTRATIVE JUDGE FISHMAN

This appeal is taken from a decision dated January 4, 1980, by the New Mexico State Office, Bureau of Land Management (BLM), rejecting oil and gas lease offer NM-39102. The offer was rejected because appellant failed to include his state and zip code in his address on the drawing entry card. 1/ Appellant contends that the address on the card consisting of his P.O. Box number and name of the city, Santa Fe, was sufficiently complete to enable BLM to contact him.

1/ Onshore noncompetitive oil and gas leasing was suspended effective February 29, 1980, by order of the Secretary, No. 3049, wherein BLM is directed to "issue no lease in response to a pending offer based on an entry card drawn with priority under 43 CFR Subpart 3112 * * *." The order, however, does not prohibit adjudication of lease applications by BLM or the Board of Land Appeals.

[1] A simultaneous oil and gas drawing entry card must be fully executed by an applicant. 43 CFR 3112.2-1(a). Where an applicant omits from his address the state and the zip code, the lease offer is properly rejected. Robert C. Meredith, 44 IBLA 214 (1979); Rita D. Vick, 36 IBLA 275 (1978).

In Albert E. Mitchell III, 20 IBLA 302 (1975), the Board explained the reason for its stringent application of the regulation: "In order to process the increasingly large number of simultaneous offers certain procedures must be followed which for their successful operation require complete cooperation and accuracy on the part of applicants." If an offer is not filed in accordance with the regulations, it must be rejected. 43 CFR 3111.1-1(d). See McKay v. Wahlenmaier, 226 F.2d 35 (D.C. Cir. 1955).

Therefore, pursuant to the authority delegated to the Board of Land Appeals by the Secretary of the Interior, 43 CFR 4.1, the decision appealed from is affirmed.

Frederick Fishman
Administrative Judge

We concur:

Joseph W. Goss
Administrative Judge

James L. Burski
Administrative Judge

